

UNITED STATES DISTRICT COURT

December 29, 2023

for the

Nathan Ochsner, Clerk of Court

Southern District of Texas

United States of America

v.

Case No. 7:23-MJ-2205-1

Miguel Angel Rodriguez Rivier

COB: United States

YOB: 2002

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of December 28, 2023 in the county of Hidalgo in the
Southern District of Texas, the defendant(s) violated:

*Code Section**Offense Description*

18 U.S.C. 554

Did knowingly and unlawfully export or attempt to export from the United States, any merchandise, article, or object, to wit: more than 40 firearms, as defined by the Commerce Control List, contrary to any law or regulation of the United States, in that the Defendant had not obtained a license or written authorization for such export, in violation of Title 50, U.S.C., Section 4819(2), and Title 15, C.F.R., Section 730 et seq., all in violation of Title 18, U.S.C., Section 554

This criminal complaint is based on these facts:

See Attachment A

☒ Continued on the attached sheet.

Approved by AUSA Sarina DiPiazza

/s/ William J. Simon

Complainant's signature

William J. Simon, HSI Special Agent

Printed name and title

☒ Sworn to telephonically and signed electronically
 per Fed.R.Cr.4.1

Date: December 29, 2023 at 6:59 amCity and state: McAllen, Texas*Judge's signature*

J. Scott Hacker, U.S. Magistrate Judge

Printed name and title

ATTACHMENT A

On December 28, 2023, at approximately 5:01 p.m., Customs and Border Protection (CBP) encountered a vehicle bearing Texas license plates CKJ7224 attempting to cross southbound at the Anzalduas Port of Entry (POE). The driver of the vehicle was identified as Miguel Angel RODRIGUEZ Rivier (DOB: 08/06/2002), a United States citizen. CBPOs received a full negative declaration for monetary instruments in excess of \$10,000 United States dollars (USD), alcohol, tobacco, firearms, and ammunition from RODRIGUEZ. Due to RODRIGUEZ displaying nervous behavior, stuttering his words, looking around, and visibly shaking, CBPOs sent the vehicle to secondary inspection.

At secondary inspection, a search of the vehicle resulted in the discovery of more than 1000 rounds of 7.62x39mm ammunition, more than 40 firearms, and more than 80 magazines hidden in boxes in the bed of the vehicle, all of which was undeclared.

In a post-Miranda interview, RODRIGUEZ stated he was asked to do a favor for an acquaintance of his by picking up a vehicle containing gifts and driving the vehicle back to Mexico. RODRIGUEZ stated he was going to be paid \$300 USD for picking up the vehicle.

RODRIGUEZ stated that as he was approaching the POE, a toaster fell out of the truck. When he stopped to pick up and return the toaster to the truck, RODRIGUEZ observed a firearm inside another box in the truck. RODRIGUEZ stated he continued to the POE and attempted to cross into Mexico after observing the firearm.

RODRIGUEZ stated he knew it was illegal to take firearms and ammunition from the United States into Mexico. RODRIGUEZ stated he does not have a license to export firearms and ammunition from the United States into Mexico.